

Application Serial No. 10/691,771  
Response dated November 23, 2005  
Response to Office Action of September 20, 2005

### **REMARKS**

This Amendment is being filed in response to an Office Action mailed on September 20, 2005. Claims 1-3, 7-11, 21-28 and 32-37 are pending in this application, of which claims 1-3 and 7-11 are allowed, claims 21-28 and 33-37 stand rejected, and claim 32 is objected to as being dependent on a rejected base claim. Claims 1, 21, 36 and 37 are independent. By this Amendment, claims 21, 36 and 37 have been amended in accordance with the agreement achieved during the personal interview conducted on November 22, 2005. Applicants respectfully request reconsideration of the present application in light of the foregoing amendments and the following remarks.

#### **Personal Interview**

Examiner Huy Kim Mai is thanked for the courtesies extended during the personal interview conducted on November 22, 2005. During the interview, Applicant's representatives and Examiner Mai discussed references U.S. Patent No. 6,098,205 to Schwartz et al. and U.S. Patent No. 5,191,363 to Smith et al. During the personal interview, Examiner Mai agreed that the references, either alone or in combination, do not teach or suggest sunglasses having a removable sealing member, wherein the frame can be worn both with or without the removable sealing member. Examiner Mai and the Applicant's representatives came to an agreement to amend independent claims 21, 36 and 37 to recite this limitation. By this Amendment, claims 21, 36 and 37 are amended to recite "wherein the frame is constructed to be worn both with and without the removable sealing member" in accordance with the agreements achieved during the personal interview.

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Applicant respectfully submits that all outstanding rejections have been addressed and are now either overcome or moot. Applicant further submits that all claims pending in this application are patentable over the prior art. Accordingly, favorable consideration and prompt allowance of this application are respectfully requested.

No fee is deemed necessary in connection with the filing of this Amendment. However, if any fee is now or hereafter required, the Examiner is hereby authorized to charge the amount of such fee to Deposit Account No. 19-4709.

Respectfully submitted,



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